

REMARKS/ARGUMENTS

Applicant's filed a Request for Continued Examination (RCE) on March 24, 2010 in order to have entered Applicant's February 24, 2010 Amendment After Final Rejection. These Supplemental Remarks address further arguments advanced in the March 16, 2010 Advisory Action.

As previously explained, Applicant respectfully submits that the cited prior art, alone and in combination, fails to teach or suggest an arrangement in which "said modification of the operating parameters is obtained by: generating a file of modification commands by the server using information from the database, sending, via the server to the devices concerned, the file of modification commands when the devices are connected, and receiving and executing the file of modification commands by the devices concerned," as called for in claim 22 and its dependents. Quite the contrary, the allegation that such features are somehow present in the four-way combination of Miller, McGrane, Martin, and Korn appears to be the result of an improper hindsight reconstruction of the claims based on Applicant's own specification.

With respect to the points raised in the Advisory Action, Applicant notes that Miller concerns vending machine controllers (*see, e.g.*, the first sentence of Miller's abstract). Although Miller's vending machine controller allegedly has multitasking capabilities such as remote reprogramming, Miller's vending machine controller does not relate to reproduction devices or the remote management of audio-visual information. The Advisory Action's assertion that Miller would have been looked to by one skilled in the art at the time of the invention because it allegedly "is in the field of remote control/modification of remote machines" therefore is an overbroad generalization. Surely it cannot be the Advisory Action's position that any and

all references related to “remote control/modification systems” are eligible for combination with jukebox-related art.

With respect to the “replacement of operating parameters,” Applicant notes that Miller does not disclose the claimed connection to a central server with storage means including a database comprising all the configurations of operating parameters of each vending machine. Although the Advisory Action and Final Office Action apparently equate the connection of the vending machine controller to a remote host with the above-identified feature of claim 22, Miller when it is considered as a whole explains that this remote host does not teach the database of the claimed central server. Indeed, this remote host may be understood as a single remote controller or programmer of the vending machine controller, which is different than the arrangement called for in claim 22.

Miller at col. 10, line 45 to col. 11, line 10 teaches modification steps that involve a transfer of a new operating system to the programmable processor of the vending machine, and the switching over from the old operating system to the new operating system. According to such teachings, the new content is transferred to the remote vending machine and replaces the previous content of the operating system in the remote vending machine. See, for example, col. 3, line 64, indicating that this transferred content is not a program to be executed by the remote vending machine to modify some operating parameters of this vending machine. These characteristics of Miller do not correspond to the above-identified claim language, which concerns the generation and the transfer of a file of modification commands, which are transferred to the reproduction device, and executed to modify the concerned operating parameters.

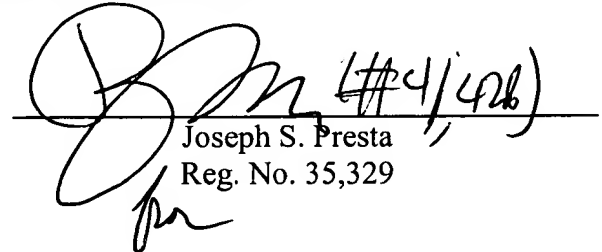
Applicant incorporates by reference the arguments presented in the February 24, 2010 Amendment After Final Rejection and, for the sake of brevity, will not repeat the same herein. Suffice it to say, however, that an obviousness-type rejection cannot be supported in the context of prior art that does not teach each and every feature of the claimed invention, alone or even in improper combination. Reconsideration and withdrawal of all outstanding rejections therefore are respectfully requested.

In view of the foregoing amendments and remarks, withdrawal of the rejections and allowance of this application are earnestly solicited. Should the Examiner have any questions regarding this application, or deem that any formalities need to be addressed prior to allowance, the Examiner is invited to call the undersigned attorney at the phone number below.

Respectfully submitted,

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